

Anticipated Classification  
of this Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

6-26-01  
Prior Application:  
Examiner \_\_\_\_\_  
Group Art Unit \_\_\_\_\_

Attorney's **A**  
Docket 50875-DA/JPW/  
No. SHS/AAB

06/25/01  
Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

June 25, 2001

S I R:

This is a request for filing a   X   CONTINUATION

       DIVISIONAL        CONTINUATION-IN-PART application under

  X   37 C.F.R. §1.53(b)        37 C.F.R. §1.53(d), of pending prior application

Serial No.   08/831,823   filed on   April 2, 1997   of

  Graham P. Allaway, et. al.   for  
Inventor(s)

METHOD FOR PREVENTING HIV-1 INFECTION OF CD4+ CELLS

Title of Invention

1.   X   Enclosed is a copy of the prior application, as originally  
filed and an affidavit or declaration verifying it as a  
true copy.

2.   X   A verified statement to establish small entity status under  
37 C.F.R. §1.9 and 1.27

       is enclosed.

  X   was filed in the prior application and such status  
is still proper and desired (37 C.F.R. §1.28(a)).

3.   X   The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE		
					SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
Total Claims	10-20	=	0	X	9	18	=	\$ 0	\$ 0
Independent Claims	2-3	=	0	X	40	80	=	\$ 0	\$ 0
Multiple Dependent Claims Presented: <u>  X  </u> Yes <u>      </u> No					135	270	=	\$ 135	\$ 0
BASIC FEE								\$ 355	\$ 710
TOTAL FEE								\$ 490	\$ .00

\*If the difference in Col. 1 is  
less than zero, enter "0" in  
Col. 2.

Applicant: Graham P. Allaway, et. al.  
Serial No: Not Yet Known  
Filed : June 25, 2001

Cont.Div.  
Page 2

4.   X   The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X   Any additional filing fees required under 37 C.F.R. §1.16.
- X   Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5.   X   Three copies of this sheet are enclosed.
6.   X   A check in the amount of \$ 490.00 is enclosed.
7.        Cancel claims                                 .
8.        Amend the specification by inserting before the first line the sentence: --This is a        continuation        division of application Serial No.                         , filed                         .--
9.   X     6   Sheet(s) of        informal   X   formal drawing(s) is/are enclosed.
10.        Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11.        Priority of application No.                          filed on                          in                          (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No.                         , filed                         .
12.   X   The prior application is assigned of record to Progenics Pharmaceuticals, Inc..
13.   X   A preliminary amendment is enclosed.
14.   X   The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Norman H. Zivin (Reg. No. 25,385); Ivan S. Kavrukov (Reg. No. 25,161); Christopher C. Dunham (Reg. No. 22,031); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Albert Wai-Kit Chan (Reg. No. 36,479); Matthew B. Tropper (Reg. No. 37,457); Robert T. Maldonado (Reg. No. 38,232); Mary Anne P. Tanner (Reg. No. 40,197); and Mary Catherine DiNunzio (Reg. No. 37,306)

Applicant: Graham P. Allaway, et. al.  
Serial No: Not Yet Known  
Filed : June 25, 2001

Cont/Div.  
Page 3

- (a)   X   The power appears in the original papers in the prior application.
- (b)        Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c)   X   Address all future communications to:  
(May only be completed by applicant,  
or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15.   X   Also enclosed Express Mail Certificate of Mailing No.


EK146828391US and 1 loose set of formal drawings

16.   X   I hereby verify that the attached papers are a true copy  
of prior application Serial No. 08/831,823 as originally  
filed on April 2, 1997.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

June 25, 2001

Date

  
Signature John P. White Reg. No. 28,678

Spencer Schneider Reg. No. 45,923

       INVENTOR(S)

       ASSIGNEE OF COMPLETE INTEREST

  X   ATTORNEY OR AGENT OF RECORD

       FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Graham P. Allaway, et al.

Serial No.: Not Yet Known (continuation of U.S. Serial No.  
08/831,823, filed April 2, 1997)

Filed : June 25, 2001

For : METHOD FOR PREVENTING HIV-1 INFECTION OF CD4+  
CELLS

1185 Avenue of the Americas  
New York, New York 10036  
June 25, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

Box: Patent Applications

SIR:

**EXPRESS MAIL CERTIFICATE OF  
MAILING FOR ABOVE-IDENTIFIED APPLICATION**


"Express Mail" mailing label number: EK146828391US

Date of Deposit: June 25, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents Box: Patent Applications, Washington, D.C. 20231.

Printed Name:  

Respectfully submitted,

  
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Registration No. 28,678  
Spencer Schneider  
Registration No. 45,923  
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